

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT
AMARILLO DIVISION**

UNITED FOOD & COMMERCIAL WORKERS §
INTERNATIONAL UNION, et al §

Plaintiffs, §

v §

MICHAEL CHERTOFF, Secretary, §
U.S. Department of Homeland Security, et al §

Defendants, §

Case No. 2-07CV-188-J

**AFFIDAVIT OF MAILING TO
U.S. ATTORNEY GENERAL**

STATE OF TEXAS)(
COUNTY OF POTTER)(

BEFORE ME, the undersigned authority on this 25th day of September, 2007, personally appeared Philip R. Russ, known to me to be the person who executed this affidavit and upon his oath, being first duly sworn, deposed and said:

1. My name is Philip R. Russ, I am over the age of twenty-one (21) years, I have never been convicted of a crime and I am duly competent in all respects to make this affidavit. I have personal knowledge of all the facts herein stated and they are true and correct.

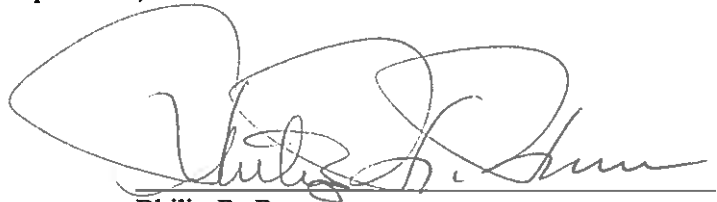
2. On the 13th day of September, 2007, I personally forwarded a true and correct copies of the following filed in cause No. 2-07CV-188-*United Food & Commercial Workers International Union, et al v. Michael Chertoff, Secretary, U.S. Department of Homeland Security, et al*:

1. Original Complaint - Class Action Request for Injunctive and Declaratory Relief and Damages Jury Demand on Damage Claims;
2. Certificate of Interested Persons;
3. Summons Issued to Immigration and Customs Enforcement;
4. Summons issued to Julie L. Myers, Assistant Secretary of Homeland Security for Immigration and Customs Enforcement;
5. Summons issued to Michael Chertoff, Secretary, U.S. Department of Homeland Security; and
6. Standing Order Designating Case for Enrollment in the Electronic Case Files "ECF" System.

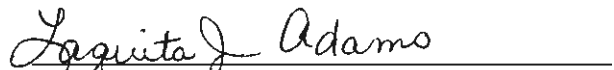
with a letter of transmittal sent certified mail, return receipt requested. A true copy of the said letter along with the return receipt is hereto attached as Exhibit "A". I received the return receipt back in our office on the 24th day of September, 2007, see Exhibit "A", the U.S. Attorney General received the letter on September 18, 2007.

Further affiant sayeth naught.

Dated and signed this 25th day of September, 2007.


Philip R. Russ

Subscribed and sworn to before me on this 25th day of September, 2007, the undersigned authority to certify which witness my hand and seal of office.


Notary Public

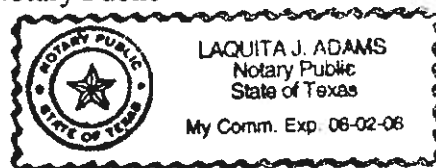


EXHIBIT “A”

Law Offices
of

PHILIP R. RUSS

ATTORNEY AT LAW

September 13, 2007

Philip R. Russ
Admitted to Practice
Texas and Oklahoma

Certified Mail - Return Receipt Requested
7006 2150 0005 7393 7834

U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

RE: No. 2-07CV-188-J; *United Food & Commercial Workers International Union Local 540, et al v. Michael Chertoff, Secretary of U.S. Department of Homeland Security, et al*; In the USDC for the Northern District, Amarillo Division

Dear Sir:

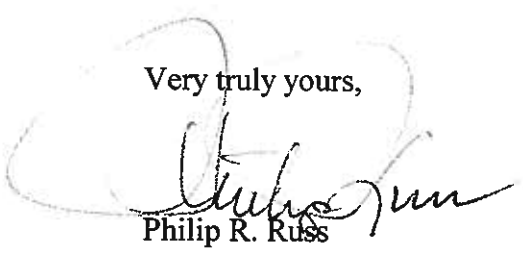
Enclosed are the following documents that have been filed in the referenced matter:

- 1) Original Complaint - Class Action Request for Injunctive and Declaratory Relief and Damages Jury Demand on Damage Claims;
- 2) Certificate of Interested Persons;
- 3) Summons Issued to Immigration and Customs Enforcement;
- 4) Summons issued to Julie L. Myers, Assistant Secretary of Homeland Security for Immigration and Customs Enforcement;
- 5) Summons issued to Michael Chertoff, Secretary, U.S. Department of Homeland Security; and

U.S. Attorney General
September 13, 2007
Page 2

- 6) Standing Order Designating Case for Enrollment in the Electronic Case Files
“ECF” System.

Very truly yours,



Philip R. Russ

PRR/lm
Encl (as stated)

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>Samuel L. Parker</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>U.S. Attorney General U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, D.C. 20530-0001</p> <p>1122 - U</p>		<p>B. Received by (Printed Name) SEP 18 2007 C. Date of Delivery</p>	
<p>2. Article Number (Transfer from service label) 7006 2150 0005 7393 7834</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>PS Form 3811, February 2004</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>Domestic Return Receipt</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>102595-02-M-1540</p>			

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<p>Sent to <i>U.S. Atty Gen</i></p> <p>Street, Apt. No., or PO Box No.</p> <p>City, State, ZIP+4</p>	
<p>PS Form 3800, August 2005</p> <p>See Reverse for Instructions</p>	